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BY ECF

Hon. Joanna Seybert
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: **Better Mornings, LLC et ano. v. Joseph Nilsen et ano., Case No: 2:19-cv-03854**

Dear Judge Seybert:

This firm represents Defendants Joseph Nilsen and Digital Checkmate, Inc. ("Digital Checkmate" and with Mr. Nilsen "Defendants") in the above-captioned action. I write on behalf of all parties to request an extension of the briefing schedule for Defendants' anticipated motion to dismiss. The parties have reached an agreement to settle this matter and I am awaiting confirmation that Plaintiffs have signed the settlement agreement. However, given today's deadline to file Defendants' motion to dismiss, out of an abundance of caution, we respectfully request that the Court extend the briefing schedule for Defendants' motion to dismiss one week to allow the parties time to execute the settlement. The current and proposed briefing schedule is set forth below:

	Current Due Date	Proposed Due Date
Motion To Dismiss	January 17, 2020	January 24, 2020
Opposition to Motion	February 19, 2020	February 26, 2020
Reply In Further Support	March 4, 2020	March 11, 2020

This is the parties' second request for an extension and we respectfully request the Court So Order this letter. Plaintiffs have not responded to Defendants' repeated queries as to whether they will consent. We thank the Court for its attention to this matter.

Respectfully submitted,



Samuel L. Butt

Copies To (via ECF): All counsel